FARAD CONTINUATION SHEET NO.:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.6908 OF 2005
(Shri Vilasrao R Jadhav & Ors Vs. The Collector, Pune and Ors)

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.P.B.Shah, for the petitioners.
Mr P.M.Patil, AGP for R.Nos 1 to 3.

CORAM: V.G.PALSHIKAR,Ag.C.J.&
D.B.BHOSALE,J.
DATED: 21.11.2005

P.C.:

By this petition, the petitioners have challenged the orders passed by the revenue authorities rejecting their application for regularisation of the encroached area under occupation of the petitioners.

Public Interest Litigation No.10 of 2002 was taken up at the instance of the petitioners in which this Court observed that the Collector, Pune should, after hearing all concerned, locate the encroachment and wherever the construction is found to be unauthorised, the concerned authorities are directed to take appropriate steps to remove the unauthorised construction as early as

possible.

The order made in Public Interest Litigation exercising jurisdiction under Article 226 is always an order in rem. There is, therefore, no question of making any exception or variance to that order in a subsequent petition. Hence, the petition rejected.